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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450
Alexandria, VA 22313 on January 23, 2006.

Patent Application
Docket No. ARS-113
Serial No. 10/540,845

Frank C. Eisenschenk
Frank C. Eisenschenk, Ph.D., Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jadwiga Bienkowska, Gregg Mcallister
Serial No. : 10/540,845
Filed : June 27, 2005
Conf. No. : 2205
For : Novel Preadipocyte Factor-1-Like Polypeptides

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

The above-referenced patent application was filed with unsigned Declaration (37 CFR 1.63) for Utility Application Using an Application Data Sheet and Power of Attorney forms. Transmitted herewith is a fully executed Declaration (37 CFR § 1.63) for Utility or Design Application Using an Application Data Sheet form and Power of Attorney forms for the subject application.

The Notification of Missing Requirements indicates that the subject application does not comply with the sequence requirements of 37 CFR §§1.821-1.825. Attached with this Transmittal Letter is a Submission of Sequence Listing Under 37 CFR §§1.821-1.825 providing the sequence listing in computer readable format.

A Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) was received from the Patent and Trademark Office, and a copy of that Notification is attached hereto.

Please charge the surcharge of \$130.00 to Deposit Account No. 19-0065. The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. 19-0065. Two copies of this transmittal letter are enclosed.

Respectfully submitted,



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FCE/sl

Enclosures: Executed Declaration form; Executed Power of Attorney forms; Submission of Sequence Listing; Copy of Notification of Missing Requirements

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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|---------------------------------|-----------------------|-------------------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/540,845 | Jadwiga Bienkowska | ARS-113 |
| | | INTERNATIONAL APPLICATION NO. |
| | | PCT/EP03/51092 |
| | | I.A. FILING DATE |
| | | 12/23/2003 |
| | | PRIORITY DATE |
| | | 12/27/2002 |
| 23557 | | |
| SALIWANCHIK LLOYD & SALIWANCHIK | | |
| A PROFESSIONAL ASSOCIATION | | |
| PO BOX 142950 | | |
| GAINESVILLE, FL 32614-2950 | | |
| DEC 17 2005 | | |
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| CONFIRMATION NO. 2205 | | |
| 371 FORMALITIES LETTER | | |
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| *OC000000017654445* | | |

Date Mailed: 12/15/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/27/2005
- Copy of the International Search Report filed on 06/27/2005
- Preliminary Amendments filed on 06/27/2005
- Oath or Declaration filed on 06/27/2005
- Request for Immediate Examination filed on 06/27/2005
- U.S. Basic National Fees filed on 06/27/2005
- Priority Documents filed on 06/27/2005
- Specification filed on 06/27/2005
- Claims filed on 06/27/2005
- Abstracts filed on 06/27/2005
- Drawings filed on 06/27/2005
- Paper nucleotide sequence listings filed on 06/27/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

• **\$130 Surcharge.**

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/540,845 | PCT/EP03/51092 | ARS-113 |

FORM PCT/DO/EO/905 (371 Formalities Notice)